IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

Crl.MC.No. 2604 of 2007()

CC.274/2006 of CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR

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PETITIONER: ACCUSED 1 AND 2

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1. CHANDRAN, S/O DEVAKIAMMA,
   CHAKUMKUMARATH HOUSE, PARAKAD VILLAGE,
   VADAKUMPURAM DESOM, THRISSUR TALUK.

2. MINI, W/O. CHANDRAN,
   CHAKUMKUMARATH HOUSE, PARAKAD VILLAGE,
   VADAKUMPURAM DESOM, THRISSUR TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS: COMPLAINANT AND STATE OF KERALA,

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1. THE THRISSUR URBAN CO-OP. BANK LTD.,
   POONKUNNAM BRANCH, REP.BY ITS BRANCH MANAGER,
   POONKUNNAM P.O., THRISSUR.

2. THE STATE OF KERALA,
   REP.BY THE SUB INSPECTOR OF POLICE,
   THRISSUR WEST POLICE STATION THROUGH
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERLA AT
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 16/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.2604 of 2007

Dated this the 16th day of August, 2007

O R D E R

petitioners are accused 1 and 2 in C.C.No.274 of 2006 pending before the Chief Judicial Magistrate, Trichur. According to the petitioners, the matter has been settled between the parties. There are some offences which are not compoundable. According to the petitioners, the disputes have been settled and the defacto complainant has compounded the offences allegedly committed. According to the petitioners, if the matter is taken up for trial emergently that would be a great help to the petitioners. The petitioners want the matter to be taken up expeditiously for disposal. It is submitted in the Crl.M.C that a request was made to the learned Magistrate. But the learned Magistrate had not considered the same favourably. No orders are produced.

2. It is for the petitioners to make a formal application before the learned C.J.M, Trichur for expeditious disposal of C.C.No.274 of 2006 on the ground that the matter has been settled between the parties and composition has been effected. The learned Magistrate must consider whether composition of the compoundable offences can be accepted. At any rate, in view of the settlement, the request of

the petitioners for an early disposal has got to be considered on merits.

3. This Crl.M.C is, in these circumstances, dismissed but with the observation that the petitioner shall be at liberty to file a formal application for composition of the compoundable offences and expeditious disposal of C.C.No.274 of 2006. The learned Magistrate must consider such application and pass appropriate orders.

Hand over a copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

rtr/-